

## **LISTING OF THE CLAIMS**

1. (Previously Presented) A surgical instrument for piercing and cutting tissue and creating a path to bone comprising:

a shaft having a longitudinal axis and proximal and distal ends having

- a length sufficient to create a percutaneous path to bone,
- a cross-section normal to the longitudinal axis,
- a first bevel located at a first position adjacent to the distal end of the shaft and extending towards the proximal end at a first angle relative to the longitudinal axis,
- a second bevel located at a second position adjacent to the first position and extending towards the proximal end of the shaft at a second angle relative to the longitudinal axis, the first and second bevels forming a plurality of surfaces, and
- a tip on the distal end of the shaft, the tip having
  - a plurality of facets that intersect to form a point for piercing tissue, at least two of the facets intersecting to form an edge for cutting tissue, and
  - at least one other surface adjoining the cutting edge,

wherein the tip has a first cross-section-at a first location having a first area and a second cross-section at a second location having a second area, the first area greater than the second area, and the second location is situated between the first location and proximal end of the shaft.

2. (Previously Presented) The surgical instrument of claim 1, wherein a first cross-section of the probe sleeve formed by the first bevel is polygonal.

3. (Previously Presented) The surgical instrument of claim 2, wherein a second cross-section of the probe sleeve formed by the first and second bevels is polygonal.
4. (Previously Presented) The surgical instrument of claim 3, wherein the first and second cross-sections have substantially similar shape.
5. (Previously Presented) The surgical instrument of claim 4, wherein the first and second cross-sections are aligned along the longitudinal axis of the instrument.
6. (Previously Presented) The surgical instrument of claim 5, wherein the first cross-section has a perimeter having six sides.
7. (Previously Presented) The surgical instrument of claim 1, wherein at least one facet has a substantially planar surface.
8. (Previously Presented) The surgical instrument of claim 1, wherein the plurality of surfaces on the shaft comprise at least two substantially planar surfaces.
9. (Previously Presented) The surgical instrument of claim 8, wherein one or more of the plurality of surfaces on the shaft are inclined with respect to the longitudinal axis.
10. (Previously Presented) The surgical instrument of claim 9, wherein one or more of the plurality of surfaces on the shaft are oblique with respect to the longitudinal axis.
11. (Previously Presented) The surgical instrument of claim 8, wherein the at least two substantially planar surfaces are parallel.
12. (Previously Presented) The surgical instrument of claim 1, wherein the second angle of the second bevel is more acute relative to the longitudinal axis than the first angle of the first bevel.
13. (Previously Presented) The surgical instrument of claim 12, further comprising a third bevel extending at a third angle different than the first and second angles.

14. (Previously Presented) The surgical instrument of claim 13, wherein a third cross-section formed by the third bevel is non polygonal.

15. (Previously Presented) The surgical instrument of claim 14, wherein the third cross-section comprises a curved perimeter.

16. (Previously Presented) The surgical instrument of claim 15, wherein the third cross-section is substantially circular.

17. (Previously Presented) The surgical instrument of claim 1, wherein the proximal end of the shaft comprises a handle attachment site.

18. (Previously Presented) The surgical instrument of claim 17, further comprising a handle for manipulating the surgical instrument.

19. (Previously Presented) The surgical instrument of claim 18, wherein the handle is lobe shaped.

20. (Previously Presented) The surgical instrument of claim 1, wherein the handle is releasably secured to the handle attachment site located at a proximal end of the probe sleeve.

21. (Previously Presented) The surgical instrument of claim 20, wherein the handle attachment site comprises a substantially flat surface and a groove.

22. (Previously Presented) The surgical instrument of claim 1, wherein the tip is unsymmetrical.

23. (Previously Presented) The surgical instrument of claim 1, wherein the shaft is substantially symmetrical.

Claim 24 (Canceled)

25. (Previously Presented) A surgical instrument for piercing and cutting tissue and creating a path to bone comprising:

a probe sleeve having a tubular shaft having a first longitudinal axis and proximal and distal ends, the tubular shaft having

a length sufficient to create a percutaneous path to bone,

a first bevel located at a first position adjacent to the distal end of the tubular shaft of the probe sleeve and extending towards the proximal end at a first angle relative to the first longitudinal axis,

a second bevel located at a second position adjacent to the first position and extending towards the proximal end of the probe sleeve at a second angle relative to the first longitudinal axis, the first and second bevels forming a plurality of surfaces on the tubular shaft of the probe sleeve; and

a probe having a probe shaft having proximal and distal ends, the probe shaft having

a probe handle on the proximal end of the probe shaft, the probe shaft being sized to be insertable into the hole in the proximal end of the sleeve handle and the probe handle being sized larger than the hole in the sleeve handle so as to prevent the probe handle from passing entirely through the hole in the sleeve handle,

a length sufficient to extend the distal end of the probe shaft beyond the distal end of the probe sleeve when the probe shaft is inserted into the tubular shaft of the probe sleeve,

a tip on the distal end of the probe shaft, the tip having

a plurality of facets that intersect to form a point for piercing tissue, at least two of the facets intersecting to form an edge for cutting tissue, and

at least one other surface adjoining the cutting edge.